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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/585,225

06/30/2006

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397-2

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02/01/2011

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EXAMINER

TESFAYE, AKLIL M

ART UNIT

PAPER NUMBER

2423

MAIL DATE

DELIVERY MODE

02/01/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/585,225

Applicant(s)

WONG ET AL.

Examiner

AKLIL TESFAYE

Art Unit

2423

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(c)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 11-25 have been considered but are moot in view of the new ground(s) of rejection.
2. Regarding claims 11 and 14, applicant recites that the limitations of Claim 11 are not met by the combination of Thukral in view of Blasko in view of Sgarglino in view of Drake in view of Ogawa. In specific, Applicant states that "the ad center discloses in claim 11 of the present patent application can be an independent unit operated outside a service provider with interfaces to the service providers". The examiner respectfully disagrees.
3. Regarding claims 11 and 14, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., ad center can be an independent unit operated outside a service provider with interfaces to the service providers) are not recited in the rejected claim. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993)

Claim Objections

4. Claim 17 is objected to because of the following informalities: claim 17, line 2-3 the limitation "configured to to collect" is incorrect.. Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 11, 14-16, 18-23, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thukral (US Patent Publication No. 2006/0195866) in view of Eyer et al. (US Patent Publication No. 2002/0124253) in view of Blasko et al. (US Patent Publication No. 2002/0083444) in view of Sgarglino (US Patent Publication No. 2003/0229893) in view of Drake (US Patent Publication No. 2002/0078441) in view of Gordon et al. (US Patent Publication No. 2002/0120498) in view of Agmoni (US Patent Publication No. 2002/0010626).**

Regarding claims 11, Thukral discloses a system (see fig. 1 television-based system 100) for delivering personalized and localized ad (is interpreted as targeted ads) content to multiple users each having an A/V display (see fig. 1 television-based client systems 104(1-N)) comprising: a plurality of Intelligent Control Modules (ICM) (see client device 110 (1&2)), each ICM being operationally coupled to an A/V display for displaying personalized and localized ad content during programming commercial breaks (see paragraph 0021-0023).

Thukral does not explicitly disclose wherein each ICM being configured to determine user personalized and localized ad schedules pertaining to channels and time; an Ad Center having multi-directional communications links with said plurality of

Art Unit: 2423

Intelligent Control Modules to receive each user's personal and local attributes; said Ad Center including a repository unit for storing user information and ad agency or advertiser information; at least one of said ICM and Ad Center being configured to analyze ads, ad agencies, advertisers, and user info and to select personalized and localized ad content for each ICM based on its corresponding personal and location attributes to transmit user's personal and local attributes, ad content, programming content, user ad search and follow-up requests, and software and firmware updates; wherein users can follow-up and search for additional ad information through one or more telecommunication sources connected to their ICM.

In similar art, Eyer discloses an Ad Center (See fig. 2 Service Provider 20 AD server 46) having multi-directional communications links with said plurality of Intelligent Control Modules to receive each user's personal and local attributes (see paragraph 0017); said Ad Center including a repository unit (see fig. 2 user profile database 34 and paragraphs 0016-0017) for storing user information and ad agency or advertiser information (see paragraph 0015); at least one of said ICM and Ad Center being configured to analyze ads, and user info and to select personalized and localized ad content for each ICM based on its corresponding attributes (see paragraphs 0007-0008, 0016-0019) to transmit user's personal and local attributes (see paragraph 0017 for disclosing the viewer's profile is obtained by downloading data from the user's local user profile 36, which is stored in STB and the information is transmitted across link 38), ad content (see paragraph 0015 for disclosing AD database 48 supplies targeted advertisements to STB 22), programming content (see paragraph 0015 for disclosing

Art Unit: 2423

service provider 20 includes a media server 42 which supplies television programs to viewer's STB 22).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral's system with the teaching of an Ad Center having multi-directional communications links with said plurality of Intelligent Control Modules to receive each user's personal and local attributes; said Ad Center including a repository unit for storing user information and ad agency or advertiser information; at least one of said ICM and Ad Center being configured to analyze ads, and user info and to select personalized and localized ad content for each ICM based on its corresponding attributes, to transmit user's personal and local attributes, ad content, programming content, as taught by Eyer, in order to deliver targeted advertisements to individual users.

Thukral in view of Eyer does not disclose wherein each ICM being configured to determine user personalized and localized ad schedules pertaining to channels and time; analyzing ad agencies and advertisers; transmit user ad search and follow-up requests, and software and firmware updates; location attributes; wherein users can follow-up and search for additional ad information through one or more telecommunication sources connected to their ICM.

In similar art, Blasko discloses analyzing ad agencies and advertisers (see paragraphs 0016, 0028-0031, 0039, 0044, 0051).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral in view of Eyer 's system with the

Art Unit: 2423

teaching of analyzing ad agencies and advertisers, as taught by Blasko, in order to generate a place for a targeted ad as a result of a correlation steps.

Thukral in view of Eyer in view of Blasko does not disclose wherein each ICM being configured to determine user personalized and localized ad schedules pertaining to channels and time; transmit user ad search and follow-up requests, and software and firmware updates; location attributes; wherein users can follow-up and search for additional ad information.

In similar art, Sgaraglino discloses user ad search and follow-up requests and wherein users can follow-up and search for additional ad information (see fig. 5 and paragraphs 0018-0019, 0046, 0094, 0100, and 0104).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral in view of Eyer in view of Blasko's system with the teaching of user ad search and follow-up requests and wherein users can follow-up and search for additional ad information through one or more telecommunication sources connected to their ICM, as taught by Sgaraglino, in order to provide an interactive advertising.

Thukral in view of Eyer in view of Sgaraglino does not disclose wherein each ICM being configured to determine user personalized and localized ad schedules pertaining to channels and time; location attributes; software and firmware updates.

In similar art, Drake discloses software updates (see paragraphs 0028-0029).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral in view of Eyer in view of Blasko in

Art Unit: 2423

view of Sgaraglino's system with the teaching of software updates, as taught by Drake, in order to update the interactive software in the system.

Thukral in view of Eyer in view of Sgaraglino in view of Drake does not disclose wherein each ICM being configured to determine user personalized and localized ad schedules pertaining to channels and time; and location attributes.

In similar art, Gordon discloses wherein each ICM being configured to determine user personalized and localized ad schedules pertaining to channels and time (see paragraph 0023 for disclosing ad insertion controller determines the schedule for the ad insertion).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral in view of Eyer in view of Blasko in view of Sgaraglino's system with the teaching of wherein each ICM being configured to determine user personalized and localized ad schedules pertaining to channels and time, as taught by Gordon, in order to deliver targeted advertisements to viewers.

In similar art, Agmoni disclose location attributes (see paragraphs 0017-0019 and 0039).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral in view of Eyer in view of Blasko in view of Sgaraglino's system with the teaching of location attributes, as taught by Gordon, in order to deliver targeted advertisements to viewers based on a particular location.

Regarding claim 14, Thukral in view of Eyer (see fig. 2 and paragraph 0015) in view of Blasko in view of Sgaraglino in view of Drake in view of Gordon in view of Agmoni discloses wherein the ad center comprises a plurality of interfaces (See Eyer fig. 2 links 24, 26 and 38) and at least one of a terrestrial TV service provider, a cable TV provider, a satellite TV provider, an internet TV service provider, an Internet Protocol (IP) TV service provider, an independent content service provider, a provider affiliated with said aforementioned service providers, and an independent personalized and localized ad service provider (see Eyer fig. 2 ad server 46) with one interface being provided for each of said corresponding aforementioned service providers (See Eyer fig. 2 links 24, 26 and 38).

Regarding claim 15, Thukral (see fig. 4 acquisition server 412) in view of Eyer in view of Blasko in view of Sgaraglino in view of Drake in view of Gordon in view of Agmoni discloses wherein the ICM comprises an independent module integrated with at least one of a TV; a TV set top box, the A/V display, and a computer.

Regarding claim 16, Thukral (see fig. 4 acquisition server 412) in view of Eyer in view of Blasko in view of Sgaraglino in view of Drake in view of Gordon in view of Agmoni discloses wherein the ICM comprises an autonomous device residing separate from at least one of a TV; a TV set top box, the A/V display and a computer.

Regarding claim 18, see the analysis of the system claim 1.

Regarding claim 19, Thukral in view of Eyer in view of Blasko in view of Sgaraglino in view of Drake in view of Gordon in view of Agmoni discloses the limitation as discussed in the rejection of claim 18.

Thukral does not disclose wherein the step of selecting personalized and localized ad content further comprises performing the ad follow-up request and/or ad search via a first path, said first path comprising the steps of: determining if an ad repository in the ICMs includes additional video and/or data information for a user-interested ad; performing at least one of an ad follow-up and search directly against the Ad Repository within the Intelligent Control Modules; and displaying follow-up details to the users about the user-interested ad via the A/V Display.

In similar art, Sgaraglino (see fig. 5 and paragraphs 0018-0019, 0046, 0094, 0100, and 0104) discloses wherein the step of selecting personalized and localized ad content further comprises performing the ad follow-up request and/or ad search via a first path, said first path comprising the steps of: determining if an ad repository in the ICMs includes additional video and/or data information for a user-interested ad; performing at least one of an ad follow-up and search directly against the Ad Repository within the Intelligent Control Modules; and displaying follow-up details to the users about the user-interested ad via the A/V Display.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral's method with the teaching of wherein the step of selecting personalized and localized ad content further comprises performing the ad follow-up request and/or ad search via a first path, said first path comprising the steps of: determining if an ad repository in the ICMs includes additional video and/or data information for a user-interested ad; performing at least one of an ad follow-up and search directly against the Ad Repository within the Intelligent Control Modules; and

Art Unit: 2423

displaying follow-up details to the users about the user-interested ad via the A/V Display, as taught by Sgaraglino, in order to provide an interactive advertising.

Regarding claim 20, Thukral in view of Eyer in view of Blasko in view of Sgaraglino in view of Drake discloses the limitation as discussed in the rejection of claim 18.

Thukral does not disclose wherein the step of selecting personalized and localized ad content further comprises performing the ad follow-up request and/or ad search via a second path, said second path comprising the steps of: sending at least one of the ad follow-up and ad search requests through an ICM Input/Output Unit in at least one of the ICMs to the Ad Center; conducting at least one of an ad follow-up and ad search in an Ad Database in the Ad Center; and transmitting matching results back to the applicable Intelligent Control Module for viewing.

In similar art, Sgaraglino (see fig. 5 and paragraphs 0018-0019, 0046, 0094, 0100, and 0104) discloses wherein the step of selecting personalized and localized ad content further comprises performing the ad follow-up request and/or ad search via a second path, said second path comprising the steps of: sending at least one of the ad follow-up and ad search requests through an ICM Input/Output Unit in at least one of the ICMs to the Ad Center; conducting at least one of an ad follow-up and ad search in an Ad Database in the Ad Center; and transmitting matching results back to the applicable Intelligent Control Module for viewing.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral's method with the teaching of wherein

Art Unit: 2423

the step of selecting personalized and localized ad content further comprises performing the ad follow-up request and/or ad search via a second path, said second path comprising the steps of: sending at least one of the ad follow-up and ad search requests through an ICM Input/Output Unit in at least one of the ICMs to the Ad Center; conducting at least one of an ad follow-up and ad search in an Ad Database in the Ad Center; and transmitting matching results back to the applicable Intelligent Control Module for viewing, as taught by Sgaraglino, in order to provide an interactive advertising.

Regarding claim 21, Thukral in view of Eyer in view of Blasko in view of Sgaraglino in view of Drake in view of Gordon in view of Agmoni discloses the limitation as discussed in the rejection of claim 20.

Thukral does not disclose wherein the second path further comprises the steps of: searching the matching results for additional and online video and data information; and providing at least one of a follow-up ad and an internet website to the requesting user.

In similar art, Sgaraglino (see paragraphs 0035-0036, 0082) discloses wherein the second path further comprises the steps of: searching the matching results for additional and online video and data information; and providing at least one of a follow-up ad and an internet website to the requesting user.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral's method with the teaching of searching the matching results for additional and online video and data information; and

Art Unit: 2423

providing at least one of a follow-up ad and an internet website to the requesting user, as taught by Sgaraglino, in order to provide an interactive advertising.

Regarding claim 22, Thukral in view of Eyer in view of Blasko in view of Sgaraglino in view of Drake in view of Gordon in view of Agmoni discloses the limitation as discussed in the rejection of claim 18.

Thukral does not disclose wherein the step of selecting personalized and localized ad content further comprises performing the ad follow-up request and/or ad search via a third path, said third path comprising the step of: sending at least one of the ad follow-up and ad search requests via an internet connection port on the Intelligent Control Modules.

In similar art, Sgaraglino (see paragraphs 0035-0036, 0050, 0055-0058) discloses wherein the step of selecting personalized and localized ad content further comprises performing the ad follow-up request and/or ad search via a third path, said third path comprising the step of: sending at least one of the ad follow-up and ad search requests via an internet connection port on the Intelligent Control Modules.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral's method with the teaching of wherein the step of selecting personalized and localized ad content further comprises performing the ad follow-up request and/or ad search via a third path, said third path comprising the step of: sending at least one of the ad follow-up and ad search requests via an internet connection port on the Intelligent Control Modules, as taught by Sgaraglino, in order to provide an interactive advertising.

Regarding claim 23, Thukral (see paragraphs 0029, 0038-0039) in view of Eyer in view of Blasko in view of Sgaraglino in view of Drake in view of Gordon in view of Agmoni discloses further comprising the steps of: providing an Ad Decision Support Unit in at least one ICM for generating a user personalized and localized ad schedule; and providing an ICM control unit for playing recommended ads to the user based on the ad schedule, wherein triggering of intelligent programs within the Ad Decision Support Unit is event-based.

Regarding claim 25, Thukral (see Paragraphs 0021, 0024, 0029-0031, 0041) in view of Eyer in view of Blasko in view of Sgaraglino in view of Drake discloses steps of: the Ad Center and the Intelligent Control Modules communicating and exchanging information in real-time with an event-driven mechanism via the Ad Center Input/Output Unit and the ICM Input/Output Unit; determining at least one of user applicable and personalized and localized ad sets and ad schedules; and updating the Ad Center based on at least one of an addition, change or removal of an ad, user information or user attribute.

7. Claims 12, 13 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thukral (US Patent Publication No. 2006/0195866) in view of Eyer et al. (US Patent Publication No. 2002/0124253) in view of Blasko et al. (US Patent Publication No. 2002/0083444) in view of Sgarglino (US Patent Publication No. 2003/0229893) in view of Drake (US Patent Publication No. 2002/0078441) in view of Gordon et al. (US Patent Publication No. 2002/0120498) in view of Agmoni

Art Unit: 2423

(US Patent Publication No. 2002/0010626) further in view of Ogawa et al. (U.S. 2002/0016972).

Regarding claim 12, Thukral in view of Eyer in view of Blasko in view of Sgaraglino in view of Drake in view of Gordon in view of Agmoni discloses the limitation as discussed in the rejection of claim 11.

Thukral in view of Eyer in view of Blasko in view of Sgaraglino in view of Drake in view of Gordon in view of Agmoni does not disclose wherein the Ad center further comprises: a receiving unit configured to receive at least one of TV channels, programs, and ad content from at least one of satellite TV providers, cable TV providers, TV stations, terrestrial TV providers, Internet TV providers, and IPTV; a repository unit configured to store advertiser information, ad agency information, ad information and user information; an ad database configured to store at least one of ads, expired ad information and ad follow-up information; an ad output decision making unit configured to perform data processing and decision making based on ad attributes and user attributes associated with each ICM; an ad input/output unit configured to handle communication with at least one of the ICM and external sources, said communication including distribution of ad sets and/or ad schedules to the intelligent control modules upon generation of user directed ad sets and/or user personalized and localized ad schedules by the ad output decision making unit, user information from the repository unit to intelligent control modules, receipt of user requests, transmission of upload information on user viewing patterns and/or ad preferences from intelligent control modules; and an ad control unit configured to control and monitor all components of

Art Unit: 2423

said ad center and to process and dispatch information for, and request and control software updates for the ICM.

In similar art, Ogawa discloses a receiving unit (see fig. 4 content collector 48) configured to receive at least one of TV channels, programs, and ad content (see paragraph 0066) from at least one of satellite TV providers, cable TV providers, TV stations, terrestrial TV providers, Internet TV providers, and IPTV (see paragraphs 0049, 0054-0055); a repository unit (see fig. 4 Database 203 &6) configured to store advertiser information, ad agency information, ad information and user information (see paragraphs 0096, 0102); an ad database (see fig. 4 Database 50) configured to store at least one of ads (see paragraph 0067-0068), expired ad information and ad follow-up information; an ad output decision making unit (see fig. 4 Distribution Manager 60) configured to perform data processing and decision making based on ad attributes and user attributes (see paragraphs 0068-0073) associated with each ICM; an ad input/output unit (see fig. 4, Application server 57) configured to handle communication with at least one of the ICM and external sources (see paragraphs 0065-0066), said communication including distribution of ad sets and/or ad schedules to the intelligent control modules upon generation of user directed ad sets and/or user personalized and localized ad schedules by the ad output decision making unit (see paragraph 0073), user information from the repository unit to intelligent control modules, receipt of user requests, transmission of upload information on user viewing patterns and/or ad preferences from intelligent control modules (see paragraph 0065); and an ad control unit (see fig. 4 Distribution engine 54) configured to control and monitor all components

Art Unit: 2423

of said ad center and to process and dispatch information for (see paragraph 0068-0070).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral's system with the teaching of a repository a receiving unit; a repository unit; an ad database; an ad output decision making unit an ad input/output unit; and an ad control unit, as taught by Ogawa, in order for the ad center to perform the main control of the delivering of targeted advertisements information to individual users.

Thukral in view of Eyer in view of Blasko in view of Sgaraglino in view of Ogawa does not disclose software and firmware updates.

In similar art, Drake discloses software updates (see paragraphs 0028-0029).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral in view of Eyer in view of Blasko in view of Sgaraglino in view of Ogawa system with the teaching of software updates, as taught by Drake, in order to update the interactive software in the system.

Regarding claim 13, Thukral (see paragraph 0035) in view of Eyer in view of Blasko in view of Sgaraglino in view of Drake in view of Gordon in view of Agmoni in view of Ogawa discloses wherein the user information includes at least one of access card information, localization information, user attributes and user viewing patterns and ad preferences collected by the Intelligent Control Modules.

Regarding claim 24, Thukral in view of Eyer in view of Blasko in view of Sgaraglino in view of Drake in view of Gordon in view of Agmoni discloses the limitation as discussed in the rejection of claim 23.

Thukral does not disclose the steps of: performing personalization and localization processing by the Ad Decision Support Unit based on ad and user attributes; determining an applicable ad set for transmission to the user's Intelligent Control Modules; and determining ad schedules pertaining to a user if the user's viewing patterns and ad preferences are available, wherein the ad and user attributes are collected and processed by at least one of the Ad Decision Support Unit and an Ad Center Output Decision Support Unit for determining at least one of the user personalized and localized ad schedules and at least one applicable ad set.

In similar art, Ogawa (see paragraphs 0071-0073) disclose the steps of: performing personalization and localization processing by the Ad Decision Support Unit based on ad and user attributes; determining an applicable ad set for transmission to the user's Intelligent Control Modules; and determining ad schedules pertaining to a user if the user's viewing patterns and ad preferences are available, wherein the ad and user attributes are collected and processed by at least one of the Ad Decision Support Unit and an Ad Center Output Decision Support Unit for determining at least one of the user personalized and localized ad schedules and at least one applicable ad set.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral's method with the teaching of the steps of: performing personalization and localization processing by the Ad Decision

Art Unit: 2423

Support Unit based on ad and user attributes; determining an applicable ad set for transmission to the user's Intelligent Control Modules; and determining ad schedules pertaining to a user if the user's viewing patterns and ad preferences are available, wherein the ad and user attributes are collected and processed by at least one of the Ad Decision Support Unit and an Ad Center Output Decision Support Unit for determining at least one of the user personalized and localized ad schedules and at least one applicable ad set, as taught by Ogawa, in order to distribute the content and advertisement received to respective users.

8. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thukral (US Patent Publication No. 2006/0195866) in view of Eyer et al. (US Patent Publication No. 2002/0124253) in view of Blasko et al. (US Patent Publication No. 2002/0083444) in view of Sgaraglino (US Patent Publication No. 2003/0229893) in view of Drake (US Patent Publication No. 2002/0078441) further in view of Swix et al. (US Patent No. 7,243,362) in view of Zigmond et al. (US Patent No. 6,698,020) in view of de Andrade et al. (US Patent Publication No. 2005/0188402) in view of Rodriguez et al. (US Patent Publication No. 2003/0154475).

Regarding claim 17, Thukral in view of Eyer in view of Blasko in view of Sgaraglino in view of Drake discloses the limitation as discussed in the rejection of claim 11.

Thukral further discloses an ICM control unit configured to control and monitor all components in the ICM (see processor 912); an input/output unit configured to transmit

Art Unit: 2423

input and output information with interfaces including at least one of the ad center, TV service providers, A/V displays, TV and internet (see paragraphs 0086-0087); a remote control unit configured to be used by users to control functions supported by the intelligent control module (see remote control unit 908).

Thukral in view of Eyer in view of Blasko in view of Sgaraglino in view of Drake does not explicitly disclose wherein the ICM further comprises:

an ad decision support unit configured to, to collect user viewing patterns based on intelligent programs and event triggering mechanisms, wherein expert business rules and mathematical and statistic models are established on user and ad attributes information, including viewing patterns and user ad preferences;

an ad repository unit configured to store personalizable and localizable ads and non-personalizable and non- localizable ads, which are updated in real-time by the ad center and removed in real-time based on their expiration attributes;

detect TV commercial times for showing of personalized and localized ads based on ad schedule generated by the ad decision support unit through a pre-configured ad channel or the current program channel;

a user information unit configured to store user attribute information, which is updated through the repository unit, and to store user viewing patterns collected by the ad decision support unit and ad preferences set up by the user;

an ad follow-up unit configured to follow up ads for additional or more detailed video and/or data information in real-time or at a later time;

Art Unit: 2423

an ad preference setup unit configured to help users setup their ad preferences for a certain period of time, which are used by the ad decision support unit to generate the appropriate personalized and localized ad schedule, wherein ad preferences are based on ad classifications implied by ad attributes, shopping plans for a certain period;

An ad search unit configured to search and browse ads with ad attributes and keywords.

In similar art, Swix, discloses STB with an ad decision support unit (see fig. 3, processor 301c) configured to, to collect user viewing patterns (see col. 5, lines 1-16) based on intelligent programs and an ad repository unit (see fig. 3, memory 301b) configured to store personalizable and localizable ads and non-personalizable and non-localizable ads, which are updated in real-time by the ad center (see col. 5, lines 36-45)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral's system with the teaching of an ad decision support unit configured to, to collect user viewing patterns based on intelligent programs and an ad repository unit configured to store personalizable and localizable ads and non-personalizable and non-localizable ads, which are updated in real-time by the ad center, in order to provide users with targeted advertisement based on user characteristics.

Thukral in view of Eyer in view of Blasko in view of Sgaraglino in view of Drake in view of Swix does not explicitly disclose event triggering mechanisms, wherein expert business rules and mathematical and statistic models are established on user and ad attributes information, including viewing patterns and user ad preferences; ads removed

Art Unit: 2423

in real-time based on their expiration attributes; an ad follow-up unit configured to follow up ads for additional or more detailed video and/or data information in real-time or at a later time; an ad search unit configured to search and browse ads with ad attributes and keywords.

In similar art, Zigmond, disclose event triggering mechanisms (see col. 4, lines 31-51), including viewing patterns and user ad preferences (see col. 9, lines 23-55, col. 10, lines 48-63 & col. 11, lines 14-65); detect TV commercial times for showing of personalized and localized ads based on ad schedule generated by the ad decision support unit through a pre-configured ad channel or the current program channel (see col. 8, lines 29-64).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral's system with the teaching of event triggering mechanisms, including viewing patterns and user ad preferences; detect TV commercial times for showing of personalized and localized ads based on ad schedule generated by the ad decision support unit through a pre-configured ad channel or the current program channel, in order to select and insert advertisement into a video program based on attributes.

Thukral in view of Eyer in view of Blasko in view of Sgaraglino in view of Drake in view of Swix in view of Zigmond does not explicitly disclose wherein expert business rules and mathematical and statistic models are established on user and ad attributes information, including viewing patterns and user ad preferences; ads removed in real-time based on their expiration attributes; an ad follow-up unit configured to follow up ads

Art Unit: 2423

for additional or more detailed video and/or data information in real-time or at a later time; an ad search unit configured to search and browse ads with ad attributes and keywords.

In similar art, de Andrade discloses wherein expert business rules and mathematical and statistic models are established on user and ad attributes information, including viewing patterns and user ad preferences (see paragraphs 0009-0011, 0040-51).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral's system with the teaching of wherein expert business rules and mathematical and statistic models are established on user and ad attributes information, including viewing patterns and user ad preferences, in order to in order to control the insertion of the advertisements based on users profile.

Thukral in view of Eyer in view of Blasko in view of Sgaraglino in view of Drake in view of Swix in view of Zigmond in view of de Andrade does not explicitly disclose ads removed in real-time based on their expiration attributes; an ad follow-up unit configured to follow up ads for additional or more detailed video and/or data information in real-time or at a later time; an ad search unit configured to search and browse ads with ad attributes and keywords.

In similar art, Sgaraglino disclose an ad follow-up unit (see fig. 5 server 580) configured to follow up ads for additional or more detailed video and/or data information in real-time or at a later time; an ad search unit (see paragraphs 0035-0036) configured to search and browse ads with ad attributes and keywords.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral's system with the teaching of an ad follow-up unit configured to follow up ads for additional or more detailed video and/or data information in real-time or at a later time; an ad search unit configured to search and browse ads with ad attributes and keywords, in order to search of additional information about an advertisements.

Thukral in view of Eyer in view of Blasko in view of Sgaraglino in view of Drake in view of Swix in view of Zigmond in view of de Andrade in view of Sgaraglino does not explicitly disclose ads removed in real-time based on their expiration attributes.

In similar art, Rodriguez discloses ads removed in real-time based on their expiration attributes (see paragraphs 0022-0024 for disclosing presenting advertisements based on expiration date).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Thukral's system with the teaching of ads removed in real-time based on their expiration attributes, in order to providing television advertisements based on users selection and advertisements during specific viewing periods.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AKLIL TESFAYE whose telephone number is (571)270-5685. The examiner can normally be reached on Monday to Thursday 8AM-5PM and Friday 8AM-4PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Y. Koenig can be reached on (571)272-7296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2423

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. T./
Examiner, Art Unit 2423

/Andrew Y Koenig/
Supervisory Patent Examiner, Art Unit 2423